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**Attorney for Defendant**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

**UNITED STATES OF AMERICA,**

**Case No. 3:22-cr-00421-IM-1**

**Plaintiff,**

**v.**

**DEFENDANT'S UNOPPOSED  
MOTION TO CONTINUE  
SENTENCING HEARING DATE**

**KEVIN ROBERT MCCARTY,**

**Defendant.**

The defendant, Kevin Robert McCarty, through his attorney, Robert Hamilton, hereby moves the Court to continue the sentencing hearing date in the above-entitled case, which is presently scheduled for September 6, 2023, for a period of approximately 30 days to October 6, 2023, or a date thereafter convenient to the Court. This motion is based on the reasons set forth below and is unopposed by Assistant United States Attorney Gary Sussman.

This sentencing has been reset a couple times for Mr. McCarty to address dental issues affecting his health. Mr. McCarty is housed at NORCOR. He had multiple issues that needed to be addressed and has received care to address most of his issues. He has one remaining appointment. Mr. McCarty was scheduled to have this last appointment completed in August, but it was canceled due to staffing issues that prevented his transport. This is the third time this final procedure has been scratched. NORCOR has informed Mr. McCarty the appointment has been

rescheduled for September (they do not provide a specific date for security reasons) and they expect to have the staffing issue fixed. Mr. McCarty is asking for this extension so he can complete his needed medical care before being moved to various BOP facilities and thereby having to start over with his medical care requests. Counsel anticipates this task being complete within 30 days. AUSA Gary Sussman does not oppose this request.

Respectfully submitted on August 29, 2023.

/s/ Robert Hamilton  
Robert Hamilton  
Assistant Federal Public Defender